

Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

May 24, 2004

RE: WT Docket No. 03-66

Since 1981, The George Mason University Instructional Foundation has used Instructional Television Fixed Service ("ITFS") channels in the 2.5 GHz band to transmit instructional, public affairs and news programming, including the open meetings of the FCC and FERC. We are on the air 24 hours a day, seven days a week.

We understand that a proposal from the Wireless Bureau is being circulated for rushed FCC consideration that would eliminate the eligibility restrictions on ITFS spectrum, and would reduce the amount of spectrum held by each ITFS licensee in order to accommodate new commercial users in the band. This proposal is seriously flawed.

ITFS is the only spectrum specifically allocated to support education. This vital educational asset must be protected, as the FCC promised to do just three years ago. I urge you to reject proposals to allow any ITFS spectrum to be licensed to commercial entities. The ability to buy the spectrum will cause commercial operators to lose all interest in leasing it, effectively killing the secondary market for this spectrum.

In addition by reducing the amount of spectrum available in the low power upper and lower bands from 16 ½ MHz to 15 MHz, the draft proposal not only takes away spectrum from educational use, but also limits the data throughput possible in these channel blocks and makes it more difficult for FDD and TDD operations to successfully share the band.

Sincerely,

/s/

Michael R. Kelley, Ph.D.
President

cc: Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin J. Martin
Commissioner Jonathan S. Adelstein

Courtesy Copy to John Muleta, Esq. with cover letter expressing the same views